

# The Gazette



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## PART III—SECTION 4

### Miscellaneous Notifications including Notifications, Orders, Advertisements and Notices issued by Statutory Bodies

#### STATE BANK OF INDIA

##### Central Office

##### NOTIFICATION

Bombay, the 15th November 1961

**SBS. No. 28/1961**—In exercise of the powers under sub-section (1) of Section 41 of the State Bank of India (Subsidiary Banks) Act, 1959, and with the approval of the Reserve Bank of India, the State Bank of India has re-appointed the firm of Auditors noted against each of the following Subsidiary Banks as Auditors of that Subsidiary Bank:—

Name of the Bank	Name of the Auditor
State Bank of Bikaner	M/s. M. L. Sharma & Co., Jaipur.
State Bank of Hyderabad	M/s. S. B. Billimoria & Co., Bombay.
State Bank of Indore	M/s. A.F. Ferguson & Co., Bombay.
State Bank of Jaipur	M/s. M. L. Sharma & Co., Jaipur.
State Bank of Mysore	M/s. Fraser & Ross, Madras.
State Bank of Patiala	M/s. Ray & Ray, Calcutta.
State Bank of Saurashtra	M/s. M. N. Raji & Co., Bombay.
State Bank of Travancore	M/s. Varma & Varma, Trivandrum.

2. The appointments are in respect of the accounting period ending 31st December 1961 and shall be for a period of one year with effect from the 1st November 1961 to 31st October 1962.

B. MUKERJI  
Managing Director

#### AIR-INDIA INTERNATIONAL EMPLOYEES' PROVIDENT FUND REGULATIONS, 1954

##### NOTIFICATION

The 7th November 1961

**No.GM/61-26**—In exercise of the powers conferred by Section 45 of the Air Corporation Act, 1953 (No. 27 of 1953), Air India International Corporation, with the previous approval of the Central Government, hereby amends the Air India International Employees' Provident Fund Regulations, 1954, as follows, namely:

The explanation to clause (b) of Regulation 2 of the said Regulations, shall be deleted and the following new explanation substituted therefor:

**Explanation**—The inclusion of R/T Allowance and Overseas Operations Allowance in 'Pay' comes into effect from 1st January 1960.

R. N. GUNDIL  
Secretary  
Air-India International

#### MINISTRY OF LABOUR AND EMPLOYMENT

##### Employees' State Insurance Corporation

##### NOTIFICATIONS

New Delhi, the 17th November 1961

**No. INS.I-22(1)-2/61**—In exercise of the powers conferred by sub-regulation (1) of Regulation 5 of the Employees' State Insurance (General) Regulations, 1950, I hereby determine that in the areas specified in the Schedule given below the first contribution and first benefit periods for Sets A, B and C shall begin and end in respect of persons in insurable employment on the appointed day of midnight of 11th November 1961 as indicated in the table given below:—

Set	First contribution period		First benefit period	
	Begins on midnight of	Ends on midnight of	Begins on midnight of	Ends on midnight of
A	..	11-11-61	27-1-62	11-8-62
B	..	11-11-61	31-3-62	11-8-62
C	..	11-11-61	26-5-62	11-5-62
				27-10-62
				29-12-62
				23-2-63

(ii) In pursuance of the proviso to Section 47 of the Employees' State Insurance Act, 1948 (34 of 1948), the condition regarding minimum number of twelve contributions payable during a contribution period for entitlement to sickness benefit in the corresponding benefit period is hereby waived for the first contribution period in respect of the insured persons in the areas specified in the Schedule given below who are allotted Sets A and B for whom the first contribution period begins on midnight of 11th November 1961 and ends on midnight of 27th January 1962 and 31st March 1962 respectively.

##### Schedule

The area of Taluka Basseln in Thana District in the State of Maharashtra.

**No. INS.III8(1)-24/59**—In exercise of the powers conferred under section 73-E of the Employees' State Insurance Act, 1948 (34 of 1948), the Employees' State Insurance Corporation hereby makes the following amendment to the Form SC-1 published on pages 484-485 in Part III, Section 4 of the Gazette of India, dated 17th October 1959 as amended by Notification dated 18th October 1960 published on page 509 in Part III Section 4 of the Gazette of India dated 29th October 1960.

In the said form item 8(b) may be substituted by the following:—

"8(b) Name and residential address of:—

(i) Occupier as declared for purposes of the Factories Act.

(ii) Owner.

(iii) Managing Agent of Occupier/Owner referred to under 8(b)(i) and (ii) above.

(iv) In case the Owner/Occupier is dead their legal representative."

The 21st November 1961

**No. INS.I-22(1)-1/61**—In pursuance of the powers conferred by Section 46(2) of the Employees' State Insurance Act, 1948 (34 of 1948), read with Regulation 95-A of the Employees' State Insurance (General) Regulations, 1950, I hereby notify the 3rd December 1961, as the date from which the medical benefit as laid down in the said Regulation 95-A and the Punjab Employees' State Insurance (Medical Benefit) Rules, 1953, shall be extended to the families of insured persons in the following area in the State of Punjab, namely:—

The area under Had Bast Number 21 of village Bhiwani Jon-Pal in Bhiwani Tehsil, District Hissar and situated in Khasra No. 230.

**No. INS.I-22(1)-1/61**—In pursuance of the powers conferred by Section 46(2) of the Employees' State Insurance Act, 1948 (34 of 1948), read with Regulation 95-A of the Employees' State Insurance (General) Regulations, 1950, I hereby notify the 17th December 1961, as the date from which the medical benefit as laid down in the said Regulation 95-A and the Punjab Employees' State Insurance (Medical Benefit) Rules, 1953, shall be extended to the families of insured persons in the following areas of Kharar in the State of Punjab, namely:—

Village and Had Bast No.

1. Mandi Kharar—185.
2. Jhungan—29.
3. Harialpur—181.
4. Bhukari—78.
5. Aujan—182.
6. Khanpur—183.
7. Badala Nia Shahr—188.
8. Khuni Majra—187.
9. Sante Majra—186.

in Tehsil Kharar, District Ambala.

**No. INS.I-22(1)-2/61**—In exercise of the powers conferred by sub-regulation (1) of Regulation 5 of the Employees' State Insurance (General) Regulations, 1950, I hereby determine that in the areas specified in the schedule given below, the first contribution and first benefit periods for Sets A, B and C shall begin and end in respect of persons in insurable employment on the appointed day of midnight of 18th November 1961 as indicated in the table given below:—

Set	First contribution period		First benefit period	
	Begins on midnight of	Ends on midnight of	Begins on midnight of	Ends on midnight of
A	18-11-1961	27-1-1962	18-8-1962	27-10-1962
B	18-11-1961	31-2-1962	18-8-1962	29-12-1962
C	18-11-1961	26-5-1962	18-8-1962	23-2-1963

(ii) In pursuance of the proviso to Section 47 of the Employees' State Insurance Act, 1948 (34 of 1948), the condition regarding minimum number of twelve contributions payable during a contribution period for entitlement to sickness benefit in the corresponding benefit period is hereby waived for the first contribution period in respect of the insured persons in the areas specified in the Schedule given below who are allotted Sets A and B for whom the first contribution period begins on midnight of 18th November 1961 and ends on midnight of 27th January 1962 and 31st March 1962 respectively:—

#### Schedule

Areas comprised in the Vizianagaram Municipality lying within the limits of the following revenue villages:—

##### 1. North—

Venugopalapuram (No. 168) 1st bit  
Gajularega No. 95  
Vizianagaram and bit No. 170.

##### 2. East—

Vizianagaram 2nd bit—170  
Jammunarayanampuram No. 89.

##### 3. South—

Vizianagaram 1st bit No. 91  
Dharmapuri No. 88  
Jammunarayanampuram No. 89.

##### 4. West—

Kanapaka No. 93  
Dupnada No. 92.

V. N. RAJAN  
Director General

#### NATIONAL COOPERATIVE DEVELOPMENT AND WAREHOUSING BOARD SERVICE REGULATIONS

In exercise of the powers conferred by section 53 of the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956), the National Cooperative Development and Warehousing Board, with the previous sanction of the Central Government, hereby makes the following regulations:—

#### CHAPTER I

**1. Short title, commencement and application**—(1) These regulations may be called the National Cooperative Development and Warehousing Board Service Regulations, 1961.

(2) They shall be deemed to have come into force with effect from the 1st of September 1956.

(3) They shall apply to all employees of the Board and to the personnel employed by the Board on contract in respect of all matters not regulated by the contract.

**2. Interpretation**—In case of any dispute regarding the interpretation of these regulations, it shall be referred to the Executive Committee of the National Cooperative Development and Warehousing Board whose decision thereon shall be final.

#### CHAPTER II

**3. Definitions**—In these regulations, unless the context otherwise requires:—

(a) **Board** means the National Cooperative Development and Warehousing Board, established under section 3 of the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956);

(b) **Executive Committee** means the Executive Committee of the Board;

(c) **Secretary** means the Secretary of the Board.

(d) **Employee** means a person in the whole-time or part-time employment of the Board, but does not include the Secretary or a person employed on daily wages.

(e) **Sub-Committee** means a Sub-Committee appointed by the Board or the Executive Committee.

(f) **Government Institution** means a Government Company as defined in the Companies Act, 1956 (1 of 1956).

(g) **Financial Adviser** means the Financial Adviser of the Board appointed under rule 10(A) of the Agricultural Produce (Development and Warehousing) Corporations Rules, 1956.

**4. Classification of employees**—The employees of the Board shall be classified as under:—

Class I—Officers (including the Financial Adviser), classified as such from time to time by the Executive Committee.

Class II—Ministerial Staff (Assistants, Stenographers, Typists, etc.).

Class III—Subordinate Staff (Peons etc.).

#### CHAPTER III

**5. Recruitment, appointment, discipline, etc.**—The Board shall determine, from time to time, the number of staff, both permanent and temporary, under various classes required for carrying out its functions.

**6. Appointing authority**—Appointments to all posts, other than the Secretary, shall be made by the Executive Committee.

**7. Method of recruitment**—Appointment to various posts shall be made by promotion or direct recruitment or by borrowing officers from the Central Government, State Governments or a Government institution in accordance with such terms and conditions as the Board may lay down from time to time. Provided that in the case of direct recruitment to Class II and Class III posts, the Employment Exchanges shall be consulted as to the availability of suitable candidates.

The age and educational qualifications for the various posts shall be as laid down by the Board from time to time.

The promotions from one post to another under the Board shall be on the advice of the Departmental Promotion Committee as may be constituted by the Board from time to time:

Provided that in making appointments, vacancies shall be reserved for members of the Scheduled Castes and Scheduled Tribes in accordance with the general instructions issued by the Government of India from time to time.

8. *Furnishing of Security by Cashier and Accountant*—A person holding, or appointed to the post of an Accountant shall, if so required, furnish such security in cash or otherwise, as the Executive Committee in its discretion may determine. The Secretary shall, in each case, be competent to determine the exact form, in which such security shall be furnished by such person for the time being holding the post of Accountant on the same terms and conditions as applicable to corresponding Central Government employees holding post of Accountant or Cashier.

9. *Probation*—Every employee shall be appointed on probation for a period of one year. Provided that the period of probation shall not be extended for more than a year and no employee shall be kept on probation for more than double the normal period. The period of probation may be reduced or relaxed at the discretion of the Vice-Chairman of the Executive Committee in respect of an employee excepting the Secretary and the Financial Adviser.

10. *Medical Certificate*—(1) Every class I and class II employee, other than a person on deputation from the Central Government, State Government or a Government institution, shall be required to undergo a medical examination by a Medical Board duly constituted by the Board in consultation with the Ministry of Health.

(2) Every other employee, other than a person on deputation from the Central Government, State Government or a Government institution, shall be required to give a medical certificate in the form prescribed in Appendix I from a Medical Officer approved by the Executive Committee.

11. *Notice by a temporary employee*—A temporary employee shall not leave or discontinue his service in the Board without giving one month's notice in writing of his intention to do so to the Appointing Authority.

12. *Termination of services of an employee on probation*—The services of an employee of any class, who is on probation, may be terminated at any time by giving him one month's notice or pay in lieu thereof.

13. *Termination of services after probation*—The Board may terminate the services of an employee after the expiry of the period of probation, if he is found to be medically unfit or if the post held by him is abolished by giving him three months' notice or pay in lieu thereof. The power to terminate the services of an employee shall be exercised by the Appointing Authority. Provided that the services of the Financial Adviser shall be terminated only with the approval of the Central Government.

14. *Superannuation on attaining age of 55 years*—An employee shall retire at the age of 55 years provided that the Board may, when it is in the interests of the Board and where it is evident that other employees in service are not suitable to take up the appointment or that the retiring employee is of such outstanding merit that the Board considers it desirable to retain him in service extend the period of service of such an employee beyond the age of 55 years. Subject to the actual requirements, extension may be granted upto two years at a time beyond the age of retirement. The period of extension may, however, be extended by one more year if it should become necessary in the interests of the Board. Further continuance in service beyond a period of three years shall be permitted only in exceptional circumstances. The power to extend the period of service of an employee shall be exercised by the Executive Committee.

#### CHAPTER IV

##### *Pay and Allowances*

15. *Pay Scales*—The undermentioned pay scales shall be admissible to the employees of the Board, provided that employees on deputation from the Central Government, State Government or a Government institution may be either appointed in these scales of pay or in their own scales of pay. In the latter case, they may, in deserving cases, be given deputation allowance not exceeding 20 per cent of the basic salary in the scale, at the discretion of the Authority empowered to make appointments under regulation 6. All cases of grant of deputation allowance to Central Government employees drawing pay of more than

Rs. 750/- at the time of deputation shall be referred to the Ministry of Finance for decision.

##### (a) *Class I (Officers)*

Financial Adviser—Rs. 1,000—50—1,400.  
Assistant Secretary—Rs. 800—50—1,150\*.  
Accounts Officer—Rs. 500—30—650—EB—800.  
Research Officer—Rs. 350—25—500—30—800.

##### (b) *Class II (Ministerial Staff)*

Senior Technical Assistant (Grade I)—Rs. 250—500.  
Junior Technical Asstt. (Grade II)—Rs. 160—10—330†.  
Stenographer—Rs. 80—5—120—E B—8—200—EB—10/2—220.

Accounts Assistant—Rs. 200—15—380—EB—20—500 (for qualified S.A.S.).

Upper Division Clerk—Rs. 80—5—120—EB—8—200—EB—10/2—220.

Lower Division Clerk—Rs. 60—3—81—EB—4—125—5—130.

Typist—Rs. 60—3—81—EB—4—125—5—130.

##### (c) *Class III (Subordinate Staff)*

Daftry—Rs. 35—1—50.

Peon. Peon-cum-Chowkidar, Sweeper, etc.—Rs. 30—1—35.

For posts not covered above, the scale of pay shall be such as may be fixed by the Board from time to time.

\* Scale to be refixed on appointment of permanent Secretary.

† Selection for promotion to the post of Senior Technical Assistant shall be confined to such persons only as have rendered not less than two years service as Junior Technical Assistant.

16. *Dearness and Compensatory Allowance*—(1) Unless otherwise stipulated in the terms and conditions of employment, an employee shall be entitled to the dearness, compensatory (city) and house rent allowances at the same rate and subject to the same terms and conditions as applicable to corresponding Central Government employees.

(2) When an employee occupies accommodation provided by the Central Government and is charged rent for it under FR 45-B, the Board will re-imburse to him the difference between the rent so charged and the rent which would have been payable by him for that accommodation if he were a Government Servant.

(3) Employees on deputation from Central Government, State Government or a Government institution shall draw dearness allowance under the rules applicable to them in their parent department or under sub-regulation (1) above according as they retain their pay scales or draw pay of the posts under the Board. They shall, however, draw compensatory (city) and house rent allowance under sub-regulation (1) above.

#### CHAPTER V

##### *Discipline*

17. *Liability to serve*—Any employee may be required by the Board to serve in such capacity and at such place as it may direct.

18. (1) *General*—Every employee shall at all times maintain absolute integrity and devotion to duty.

(2) *Taking part in politics and elections*—(a) No employee shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

(b) It shall be the duty of every employee to endeavour to prevent any member of his family from taking part in, subscribing in aid of or assisting in any other manner, any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established, and where an employee is unable to prevent a member of his family from taking part in, or subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Board.

(c) If any question arises whether any movement or activity falls within the scope of this regulation, the decision of the Board thereon shall be final.

(d) No employee shall canvass or otherwise interfere or use his influence in connection with, or take part in, an election to any legislature or local authority:

Provided that:

- (i) an employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (ii) an employee shall not be deemed to have contravened the provisions of this regulation by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force;
- (iii) the Board may permit an employee to offer himself as a candidate for election to a local authority and the employee so permitted shall not be deemed to have contravened the provisions of this regulation.

*Explanation*—The display by an employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of the sub-regulation.

19. *Engagement in Trade etc.*—(1) No employee, without prior permission of the Competent Authority, by himself or through any member of his family shall engage directly or indirectly in any trade or undertake any employment while on duty or on leave other than those duties allotted to him by the Board.

Provided that an employee may, without such sanction, undertake honorary work of a social or charitable nature subject to the condition that his official duties do not thereby suffer.

*Explanation*—Canvassing by an employee in furtherance of the business of insurance agency, commission agency, owned or managed by his wife or any other member of his family shall be deemed to be a breach of this regulation.

(2) An employee may take part in registration, promotion of literary, scientific or charitable societies or management of cooperative societies registered under the Co-operative Societies Act, 1912.

20. *Prohibition to speculate, lend or borrow money*—(1) No employee shall speculate in agricultural produce, stocks, shares or commodities of any description nor be connected with the formation or management of Joint Stock Companies. Nor will he permit his wife or any member of his family to make any investment likely to embarrass or influence him in the discharge of his official duties.

(2) An employee shall not lend money, except with the previous sanction of the Board to any person possessing land or other valuable property.

(3) An employee shall also not borrow money from or otherwise place himself under pecuniary obligation to any person within the local limits of his authority, or any other person with whom he is likely to have official dealings, nor shall he permit any member of his family to do so.

21. *Prohibition to absent without leave*—An employee shall not absent himself from his duties or from the station of his posting without having first obtained the permission of the authority, competent to sanction leave.

22. *Imposition of penalties*—The following penalties may, for good and sufficient reasons, be imposed:

- (i) censure;
- (ii) withholding of increments or promotion;
- (iii) recovery from pay of the whole or part of any pecuniary loss caused to the Board by negligence or breach of orders;
- (iv) reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale;
- (v) compulsory retirement with full contribution to Provident Fund or otherwise;
- (vi) removal from service which shall not be a disqualification for future employment;
- (vii) dismissal from service which shall ordinarily be a disqualification for future employment.

*Explanation*—The following shall not amount to a penalty within the meaning of this regulation:

- (i) withholding of increments of an employee for failure to pass a departmental examination in accordance with the rules or orders governing the service or post or the terms of his appointment;
- (ii) stoppage of an employee at the efficiency bar in the time-scale on the ground of his unfitness to cross the bar;
- (iii) non-promotion whether in a substantive or officiating capacity of an employee, after consideration of his case, to a Service, grade or post for promotion to which he is eligible;
- (iv) reversion to a lower service, grade or post of an employee officiating in a higher service, grade or post on the ground that he is considered, after trial, to be unsuitable for such higher service, grade or post or on administrative grounds unconnected with his conduct;
- (v) reversion to his permanent service, grade or post of an employee appointed on probation to another service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing probation;
- (vi) replacement of the services of an employee whose services have been borrowed from a State Government or an authority under the control of a State Government at the disposal of the authority which had lent his services;
- (vii) compulsory retirement of an employee in accordance with the provisions relating to his super-annuation or retirement;
- (viii) termination of the services:—
  - (a) of an employee appointed on probation, during or at the end of the period of probation, in accordance with the terms of his appointment or the rules and orders governing probation;
  - (b) of an employee employed under an agreement in accordance with the terms of such agreement.

23. *Disciplinary Authority*—The Authority for imposing major penalties namely dismissal, removal and compulsory retirement and reduction will be the Executive Committee. The power to impose all the penalties may also be exercised by the Executive Committee which may, however, delegate such powers to the Vice-Chairman of the Executive Committee to impose minor penalties i.e. censure, withholding of increment/promotion, recovery of loss from pay etc. in respect of all employees excepting the Financial Adviser. The power to impose penalties on the Financial Adviser shall, however, be exercised by the Executive Committee of the Board in consultation with the Government of India.

24. *Information to the employee before taking disciplinary proceedings*—The employee shall be informed in writing of the proposal to take action against him and of the allegation on which it is proposed to be taken and given an opportunity to make any representation he may wish to make.

25. *Procedure for imposing major penalties*—(1) Without prejudice to the provisions of the Public Servants (Inquiry) Act, 1850, no order imposing on a Board's employee, any of the penalties specified in these regulations shall be passed except after an inquiry, held as far as may be, in the manner hereinafter provided.

(2) The Disciplinary Authority shall frame definite charges on the basis of the allegations on which the inquiry is proposed to be held. Such charges, together with a statement of the allegations on which they are based, shall be communicated in writing to the employee and he shall be required to submit, within such time as may be specified by the Disciplinary Authority (a) to such Authority or (b) where a Board of Inquiry or Inquiring Officer has been appointed to that Board or Officer, written statement of his defence and also to state whether he desires to be heard in person.

*Explanation*—In this sub-regulation and in sub-regulation (2), the expression "the Disciplinary Authority" shall include the authority competent under these regulations to impose upon the employee any of the penalties specified in Regulation 22.

(3) The Disciplinary Authority may inquire into the charges itself or, if it considers it necessary so to do, it may, either at the time of communicating the charges to the employee under sub-regulation (2) or at any time thereafter, appoint a Board of Inquiry or Inquiry Officer for the purpose.

(4) The employee shall for the purpose of preparing his defence, be permitted to inspect and take extracts from such official records as he may specify, provided that such permission may be refused if for reasons to be recorded in writing, in the opinion of the Disciplinary Authority such records are not relevant for the purpose or it is against the public interest to allow him access thereto.

(5) On receipt of the written statement of defence, or if no such statement is received within the time specified, the Disciplinary Authority or, as the case may be, the Board of Inquiry or the Inquiring Officer may inquire into such of the charges as are not admitted.

(6) The Disciplinary Authority may nominate any person to present the case in support of the charges before the authority inquiring into the charges (hereinafter referred to as the Inquiring Authority). The employee may present his case with the assistance of any other Board's employee approved by the Disciplinary Authority, but may not engage a legal practitioner for the purpose unless the person nominated by the Disciplinary Authority as aforesaid is a legal practitioner or unless the Disciplinary Authority, having regard to the circumstances of the case, so permits.

(7) The Inquiring Authority shall, in the course of the inquiry, consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The employee shall be entitled to cross-examine witnesses examined in support of the charges and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross-examine the employee and the witnesses examined in his defence. If the Inquiring Authority declines to examine any witness on the ground that his evidence is not relevant or material, it shall record its reasons in writing.

(8) At the conclusion of the inquiry, the Inquiring Authority shall prepare a report of the inquiry, recording its findings on each of the charges together with reasons therefor. If in the opinion of such authority the proceedings of the inquiry establish charges different from those originally framed it may record findings on such charges provided that findings on such charges shall not be recorded unless the employee has admitted the facts constituting them or has had an opportunity of defending himself against them.

(9) The record of the inquiry shall include:

- (i) the charges framed against the employee and the statement of allegations furnished to him under sub-regulation (2);
- (ii) his written statement of defence, if any;
- (iii) the oral evidence taken in the course of the inquiry;
- (iv) the documentary evidence considered in the course of the inquiry;
- (v) the orders, if any, made by the Disciplinary Authority and Inquiring Authority in regard to the inquiry; and
- (vi) a report setting out the findings on each charge and the reasons therefor.

(10) The Disciplinary Authority shall, if it is not the Inquiring Authority, consider the record of the inquiry and record its findings on each charge.

(11) (i) If the Disciplinary Authority, having regard to its findings on the charges, is of the opinion that any of penalties specified in (iv) to (vii) of regulation 22 should be imposed it shall—

- (a) furnish to the employee a copy of the report of the Inquiring Authority and, where the Disciplinary Authority is not the Inquiring Authority, a statement of its finding together with brief reasons for disagreement, if any, with the findings of the Inquiring Authority; and
- (b) give him a notice stating the action proposed to be taken in regard to him and calling upon him to submit within a specified time such representation as he may wish to make against the proposed action.

(ii) The Disciplinary Authority shall consider the representation, if any, made by the employee in response to the notice under clause (i) and determine what penalty, if any, should be imposed on the employee and pass appropriate orders on the case.

(12) If the Disciplinary Authority having regard to its findings is of the opinion that any of the penalties, specified in clauses (i) to (iii) of regulation 22, should be imposed, it shall pass appropriate orders in the case.

(13) Orders passed by the Disciplinary Authority shall be communicated to the employee who shall also be supplied with a copy of the report, of the Inquiring Authority and, where the Disciplinary Authority is not the Inquiring Authority, a statement of its findings together with brief reasons for disagreement, if any, with the findings of the Inquiring Authority, unless they have already been supplied to him.

26. *Procedure for imposing minor penalties*—(1) No order imposing any of the minor penalties specified in regulation 22 shall be passed except after—

(a) the employee has been informed in writing of the proposal to take action against him and of the allegations on which it is proposed to be taken and given an opportunity to make any representation he may wish to make;

(b) such representation, if any, is taken into consideration by the Disciplinary Authority;

(2) The record of proceedings in such cases shall include—

- (i) a copy of the intimation to the employee of the proposal to take action against him;
- (ii) a copy of the statement of allegations communicated to him;
- (iii) his representation, if any;
- (iv) the orders on the case together with the reasons therefor.

27. *Procedure of suspension*—(1) The Appointing Authority may place an employee of the Board under suspension—

(a) where a disciplinary proceeding against him is contemplated or is pending, or

(b) where a case against him in respect of any criminal offence is under investigation or trial.

(2) The employee who is detained in custody whether on a criminal charge or otherwise, for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of detention, by an order of the Appointing Authority and shall remain under suspension until further orders.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee under suspension is set aside in appeal or on review under these rules and the case is remitted for further enquiry or action or with any other directions, the order of his suspension shall be deemed to have continued into force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority, on consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the employee shall be deemed to have been placed under suspension by the Appointing Authority from the date of the original order of dismissal, removal or compulsory retirement, and shall continue to remain under suspension until further orders.

(5) An order of suspension made or deemed to have been made under this regulation may, at any time, be revoked by the authority which made or is deemed to have made the order.

*Provisions regarding officers borrowed from State Government or Government of India*—Where an order of suspension is made or a disciplinary proceeding is taken against an employee whose services have been borrowed from a State Government or the Government of India, such parent office shall forthwith be informed of the circumstances leading to the order of his suspension or communicate all disciplinary proceedings, as the case may be.

28. *Payment on suspension*—(1) An employee under suspension shall be entitled to receive the following payments, namely—

(a) a subsistence allowance at an amount equal to the leave salary which the employee would have drawn if he had been on leave on half average pay or on half pay and in addition dearness allowance based on such leave salary:

Provided that where the period of suspension exceeds twelve months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first twelve months as follows:—

(i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first twelve months, if, in the opinion of the said authority the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the employee;

(ii) the amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first twelve months if in the opinion of the said authority, the period of suspension has been prolonged due to reasons, to be recorded in writing directly attributable to the employee;

(iii) the rate of dearness allowance will be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under sub-clauses (i) and (ii) above.

(b) other compensatory allowance, if any, of which the employee was in receipt on the date of suspension:

Provided that the employee shall not be entitled to the compensatory allowance unless the said authority is satisfied that the employee continues to meet the expenditure for which they are granted.

(2) No payment under sub-regulation (1) shall be made unless the employee furnishes a certificate that the employee is not engaged in any other employment, business, profession or vocation.

29. *Pay and allowances on re-instatement*—(1) When an employee who has been dismissed, removed or suspended is re-instated, the authority competent to order the re-instatement shall consider and make a specific order—

(a) regarding the pay and allowances to be paid to the employee for the period of his absence from duty; and

(b) whether or not the said period shall be treated as a period spent on duty.

(2) Where the authority mentioned in sub-regulation (1) is of opinion that the employee has been fully exonerated or, in the case of suspension, that it was wholly unjustified, the employee shall be given the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or suspended, as the case may be.

(3) In other cases the employee shall be given such proportion of such pay and allowances as such competent authority may prescribe:

Provided that the payment of allowances under sub-regulation (2) or (3) shall be subject to all other conditions under which such allowances are admissible:

Provided further that such proportion of such pay and allowances shall not be less than the subsistence and other allowance under regulation 28.

(4) In a case falling under sub-regulation (2), the period of absence from duty shall be treated as a period spent on duty for all purposes.

(5) In a case falling under sub-regulation (3), the period of absence from duty shall not be treated as a period spent on duty, unless such competent authority specifically directs that it shall be so treated for any specified purpose.

Provided that if the employee so desires, such authority may direct that the period of absence from duty shall be converted into leave of any kind due and admissible to the employee.

## CHAPTER VI

### Appeals

30. *Appeals*—An employee shall be entitled to appeal against any order imposing any penalty specified in regulation 22. An appeal against an order of the Secretary shall lie to the Vice-Chairman of the Executive Committee. An appeal against the order of the Executive Committee shall lie to the Board. No appeal shall lie against an order of the appellate authority or Board.

31. *Contents of appeal*—(1) Every appeal preferred under regulation 30 shall contain all relevant statements relied on by the appellant and shall be complete in itself.

(2) An appeal shall not be couched in disrespectful or improper language. If so couched, the appellate authority may return the appeal to the appellant and allow him an opportunity to submit within the time specified by it an amended appeal which shall not contain any disrespectful or improper language.

(3) Every person submitting an appeal shall do so separately and in his own name.

32. *Withholding of appeal*—(1) The Authority which made the order, appealed against, may withhold the appeal, if (i) it is an appeal against an order for which no appeal lies or (ii) it does not comply with any of the provisions of regulation 31(1) & (2) or (iii) it is not submitted within the period specified in regulation 34 and no cause is shown for the delay, or (iv) it is a repetition of appeal already decided and no new facts or circumstances are adduced.

(2) Where an appeal is withheld, the appellant shall be informed of the fact and the reasons therefor.

33. *Procedure for sending appeal*—(1) An appeal shall be sent by an employee through his immediate superior officer, who shall forward it to the appellate authority, with his own comments. Appeals shall not be addressed personally to the members of the Board and any such act shall be deemed breach of discipline:

Provided that a copy of the appeal may be submitted direct to the Appellate Authority:

Provided further that where an appeal is withheld it may be called for by the Appellate Authority.

(2) The Authority transmitting the appeal shall forward it to Appellate Authority with its own comments together with the relevant records.

34. *Time limit for preferring an appeal*—No appeal shall be entertained, if it is not preferred within a period of three months from the date of which the appellant received the order, imposing the penalty on him:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

## CHAPTER VII

### Leave

35. *Leave in case of employees on deputation*—Employees on deputation from the Central Government or a State Government or a Government institution shall be entitled to leave as is admissible to such employees before deputation in their parent department.

36. *Kinds of leave*—Every employee shall be eligible to the following kinds of leave, provided that no employee shall claim leave as a matter of right. No appeal shall lie against an order refusing leave except when it has been applied on medical certificate. In case of leave on medical certificate, the Secretary or in the case of the Secretary, the Vice-Chairman of the Executive Committee may at his discretion require the employee to obtain medical certificate from the Registered Medical Practitioner, under whose treatment he is. The expenses of medical examination in such case shall be borne by the employee:—

Casual Leave—As per Regulation 41.

Earned Leave—As per Regulation 42.

Special and Sick Leave—As per Regulation 43.

Maternity Leave—As per Regulation 44.

Extraordinary Leave (without pay)—As per Regulation 45.

37. *Entitlement to leave*—No employee shall be entitled to enjoy any kind of leave except casual leave, leave on medical certificate and earned leave unless otherwise granted in special circumstances during the first year of his service

38. *Prefixing or suffixing of Sundays or holidays to leave*—Sundays or holidays may be prefixed or suffixed to any type of leave with the prior permission of the authority empowered to sanction leave. When so allowed, they shall not be counted as part of the leave.

39. *Sunday or holiday to count as part of leave except casual leave*—A Sunday or holiday falling between the first and the last days of any leave period shall count as part of the leave except in case of casual leave.

40. *Authority to grant leave*—The Secretary shall have authority to grant casual leave to employees of all classes except the Financial Adviser and all kinds of leave to employees of Class II and III. The Vice-Chairman of the Executive Committee shall have authority to sanction casual leave to the Financial Adviser and all other kinds of leave to employees of Class I, other than the Secretary or Financial Adviser. The Chairman of the Executive Committee shall have the authority to grant earned leave for a period not exceeding 45 days to the Financial Adviser. Earned leave in excess of 45 days and extraordinary leave in the case of Financial Adviser shall be sanctioned only by the Executive Committee.

41. *Casual leave*—An employee shall be eligible for casual leave to the extent of 12 days in a calendar year, either for private affairs, or owing to sickness. Normally not more than 8 days casual leave is to be allowed at any one time. The Competent Authority is, however, competent to waive this condition in individual cases. Sundays or closed holidays falling after or before the period of casual leave may be prefixed or suffixed to such leave and those falling within such leave shall not be counted as part of leave.

42. *Earned leave*—(1) (a) The "earned leave" is earned at the rate of one-eleventh of the period spent on duty (1/22nd of duty in the case of temporary employees in the first year of service).

(b) Earned leave can be accumulated upto 180 days. The earned leave due to an employee is the period which he has earned, diminished by the period actually taken.

Provided that the amount of earned leave which can be taken at any one time is 120 days in the case of an employee in Class II and III, and 180 days in the case of an employee in Class I, provided 60 days are spent out of India, Burma, Ceylon, Daman, Diu, Goa, Nepal and Pakistan.

(c) An officer on earned leave is entitled to leave salary equal to greater of the amounts specified below:—

- (i) the substantive pay on the day before the leave commences, or
- (ii) (a) in respect of the first 60 days of the earned leave, the average monthly pay earned during the 12 complete months preceding the month in which the leave commences, and
- (b) thereafter the average monthly pay earned during the 36 complete months preceding the month in which the leave commences.

(2) An officer on half pay leave or leave not due is entitled to leave salary equal to half the substantive pay on the day before the leave commences or half the amount specified in clause (ii)(b) of sub-regulation (1) whichever amount is greater, subject in either case to a maximum of Rs. 750.

(3) An officer on commuted leave is entitled to leave salary equal to twice the amount admissible under sub-regulation (2).

(4) An officer on extraordinary leave is not entitled to any leave salary.

43. *Special and Sick Leave*—During the entire period of his service, an employee may be granted half pay leave at the rate of 20 days for each completed year of service.

44. *Maternity Leave*—A female employee shall be eligible for the grant of maternity leave on full pay for a period which may extend upto the end of three months from the day of its commencement or to the end of six weeks from the date of confinement whichever is earlier.

45. *Extraordinary Leave (leave without pay)*—(1) Extraordinary leave may be granted to an employee when no ordinary leave is admissible to him. Except in exceptional

circumstances, the duration of the extraordinary leave shall not exceed three months on any one occasion, and twelve months during the entire period of service of an employee.

(2) The authority empowered to sanction leave may grant extraordinary leave in combination with, or in continuation of, leave of any other kind admissible to the employee, and may commute retrospectively periods of absence without leave into extraordinary leave.

(3) No pay and dearness allowance are admissible during the period of extraordinary leave and the periods spent on such leave shall not count for increments:

Provided that, in cases where the authority empowered to sanction leave is satisfied that the leave was taken on account of illness or for any other cause beyond the employee's control, it may direct that the period of extraordinary leave may count for increments.

## CHAPTER VIII

### Medical Facilities

46. Such Medical facilities as the Executive Committee may determine from time to time, shall be provided for the employees and their families.

## CHAPTER IX

47. *Travelling Allowance, Daily Allowance, Transfer Allowance*—For purposes of Travelling Allowance, Daily Allowance (and Transfer Allowance), pay includes special pay and Dearness Pay upto the limit prescribed by the Central Government in this respect and in case of re-employed personnel, their pension, which will be the amount originally sanctioned, i.e. before commutation, if any, and will also include the pensionary equivalent of death-cum-retirement gratuity, if any, as under:—

- (a) where the pension is held in abeyance during the period of re-employment, the grade of the re-employed pensioner shall be determined in accordance with the pay actually received from time to time;
- (b) where the pension is allowed to be drawn in addition to pay the re-employed pensioner should for the purpose of S.R. 17, be deemed to be in receipt of actual pay equivalent to his re-employed pay plus pension subject to the provision that if the sum of such pay plus pension exceeds the pay of the post, if it is on a fixed rate or the maximum pay of the post if it is on a time scale of pay, such excess shall be ignored.

48. *T.A. and D.A. to Deputationists*—Employees on deputation from the Central Government or State Government or a Government institution shall be governed by Supplementary Rules of the Central Government or any other Rules which may specifically be included in the terms and conditions of their service in respect of Travelling Allowance, Daily Allowance.

49. *Travelling and Daily Allowance*—An employee other than one on deputation from the Central Government or State Government or other Government institutions shall be entitled to travelling allowance and daily allowance for journeys on duty as under:

#### (A) Travelling Allowance:

- (i) *Air Journeys*—Employees getting a pay of Rs. 1,600 per month and above, can travel by Air on tour or on transfer at their own discretion. Other employees can travel by Air only under sanction of the Vice-Chairman of the Executive Committee. For all journeys by air on tour an employee shall be entitled to a single standard air fare (plus 1/5th thereof limited to a maximum of Rs. 30 for each single journey or actual return air fare plus 1/5th of the standard air fare limited to a maximum of Rs. 30 for a single journey each way). The standard air fare should be taken to mean actual single journey fare of a company payable for the service by which a journey is performed.
- (ii) *Journeys by Train*—Employees will be entitled to railway fare and incidental charges as under for journeys on tour by rail:

Class of Employees	Class of Railway Fare to which entitled	Incidental charges	Bombay and Calcutta	Delhi, Simla and Madras	Other Centres
<b>Class I employees</b>					
(a) If drawing pay of Rs. 1,600 p.m. or above.	One single fare for air-conditioned accommodation or any lower class actually travelled. Provided that when such an officer travels by A.C.C., he shall reimburse to the Board at the rate of 1.5 n.P. per mile for the entire journey so performed.	6 n.P. per mile.	(II) <i>Class II employees (Ministerial Staff)</i>		
(b) If drawing pay from Rs. 751 to Rs. 1,599 p.m.	One single fare for 1st Class or any lower class actually travelled.	6 n.P. per mile.	(a) If drawing pay over Rs. 200.	37 n.P. for every Rs. 12.50 n.P. of pay or fraction thereof subject to a minimum of Rs. 6 and a maximum of Rs. 10.	25 n.P. for every Rs. 12.50 of pay or fraction thereof subject to a minimum of Rs. 8 and a maximum of Rs. 12.
(c) If drawing pay below Rs. 751.	One single fare for 1st class or any lower class actually travelled.	4 n.P. per mile.	(b) If drawing pay upto Rs. 200.	37 n.P. for every Rs. 12.50 n.P. of pay or fraction thereof subject to a minimum of Rs. 2.	25 n.P. for every Rs. 12.50 of pay or fraction thereof subject to a minimum of Rs. 1.50.
<b>Class II Employees</b>					
(a) If drawing pay over Rs. 200 p.m.	One single fare for 1st class or any lower class actually travelled.	4 n.P. per mile.	(III) <i>Class III Employees (subordinate staff)</i>	Rs. 1.62 n.P.	Rs. 1.25 n.P.
(b) If drawing pay upto Rs. 200 p.m.	One single fare per 2nd class or any lower class actually travelled.	2 n.P. per mile		Rs. 1.00	Rs. 1.00
<b>Class III employees</b>					
	One single fare for 3rd class ..	1/2 single fare for III Class by Passenger train.			
(iii) <i>Road journeys—Employees will be entitled to mileage for journeys by road as under:</i>					
		Higher rate n.P. per mile	Lower rate n.P. per mile		
(a) Class I employees in receipt of pay of Rs. 751 and above.		50	16		
(b) Class I & II employees drawing pay over Rs. 200 p.m. and upto Rs. 750.		37	12		
(c) Class II employees drawing pay upto Rs. 200 p.m.		16	9		
(d) Class III employees .. .. ..		9	6		
N.B.—1. Higher rates apply for road journeys performed otherwise than by taking a single seat in public conveyance.					
2. Lower rates apply for road journeys performed by taking a single seat in any conveyance plying regularly for hire between fixed points and charging fixed rates.					
3. The lower rate prescribed above will be increased by 50 per cent in the case of journeys in hill tracts, declared as such by the State Governments concerned for the purpose of their T.A. rules.					
(B) <i>Daily Allowance—An employee shall be entitled to Daily Allowance as under:</i>					
Bombay and Calcutta	Delhi, Simla and Madras	Other Centres	Limit of cost for transporting by the goods train		
<b>(I) Class I employees (Officer)</b>					
Pay upto Rs. 750	Rs. 12.50	Rs. 10.00	Rs. 6.25		
Pay exceeding Rs. 750.	Rs. 12.50 for the first Rs. 750 plus 50 n.P. per Rs. 250 or fraction thereof subject to a maximum of Rs. 15.	Rs. 10.00 for the first Rs. 750 plus 50 n.P. per Rs. 250 or fraction thereof subject to a maximum of Rs. 12.50.	Pay exceeding Rs. 750 but not exceeding Rs. 1000. Pay exceeding Rs. 1000. Pay exceeding Rs. 1,000. Pay exceeding Rs. 7.50 for the first Rs. 1000 plus 1.25 every additional Rs. 500 or fraction thereof subject to a maximum of Rs. 12.50 n.P.	40	60
				20	30
				12	15
				3	5
(2) An employee shall also be entitled to transport by goods train at the Board's expense his personal car or motor cycle and by passenger train of his personal cycle at passenger train rates. In case of transport of car, he shall also be entitled to one Third Class fare for driver, if actually employed before the transfer and actually taken to the new station.					
(3) An employee shall be entitled to transfer Travelling Allowance as under:					
For the officer himself, one single rail fare of the entitled class plus incidental expenses at four times the rate applicable to him for journey on tour, one fare for each adult member of the family and one single half for each child. The higher rate of mileage for journeys by road					

prescribed in regulation 49 between the residence and the Railway Station at either end shall also be admissible as under:

- (a) Mileage allowance at twice the rate admissible to him or any rate applicable to him which has been fixed by the competent authority as the case may be.
- (b) Additional mileage allowance applicable to him or any rate applicable to him which has been fixed by the competent authority as the case may be, if two members of his family accompany him, and at twice that rate if more than two members accompany him.

52. *Members of the family of an employee*—For purposes of these Regulations, the member of the family of an employee will include one wife, real and step-children residing with and wholly dependent on the employee, his parents, sisters and minor brothers, if residing with and wholly dependent on the employee.

53. *Pay on Transfer*—(1) An employee, while on transfer, shall draw the pay of the old or his new appointment, whichever is less, and shall be regarded as on duty for joining time which shall include the actual days of travelling plus six days.

(2) An employee on transfer may draw in advance the amount to which he is entitled.

54. *Employment of a relative in an organisation enjoining Board's patronage*—No employee belonging to a class I service shall, except with the previous sanction of the Board, permit his son, daughter or dependent to accept employment with any private firm with which he has official dealings, or with any other firm having official dealings with the Board:

Provided that where the acceptance of the employment cannot await the prior permission of the Board or is otherwise considered urgent, the matter shall be reported to the Board; and the employment may be accepted provisionally subject to the permission of the Board.

55. *Demonstration and Strikes*—No employee shall participate in any demonstration or resort to any form of strike in connection with any matter pertaining to his conditions of service.

56. *Joining of Associations by Employees*—No employee shall join or continue to be a member of any service association of employee:

- (a) which has not, within a period of six months from its formation, obtained the recognition of the Board.

Or

- (b) recognition in respect of which has been refused or withdrawn by the Board.

57. *Connection with Press or Radio*:

- (i) No employee shall, except with the previous sanction of the Board, own wholly or in part, or conduct, or participate the editing or managing of, any newspaper or other periodical publication.

- (ii) No employee shall except with the previous sanction of the Board or any other authority empowered by it in this behalf, or in the bona fide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either anonymously or in his own name or in the name of any other person to any newspaper or periodical:

Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character.

58. *Criticism of the Board and the Central Government*—No employee shall, in any radio broadcast or in any document publish anonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion—

- (i) which has the effect of an adverse criticism of any current or recent policy or action of the Board, the Central Government or a State Government;
- (ii) which is capable of embarrassing the relations between the Board, the Central Government and the Government of any State; or
- (iii) which is capable of embarrassing the relations between the Board, the Central Government and the Government of any foreign State;

Provided that nothing in this regulation shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

59. *Evidence before Committee or any other authority*—(i) Save as provided in sub-regulation (iii), no employee shall, except with the previous sanction of the Board give evidence in connection with any enquiry conducted by any person, committee or authority.

(ii) Where any sanction has been accorded under sub-regulation (i), no employee giving such evidence shall criticize the policy or any action of the Board, the Central Government or a State Government.

(iii) Nothing in this regulation shall apply to—

- (a) evidence given at an enquiry before an authority appointed by the Board, the Government, Parliament or a State legislature; or
- (b) evidence in any judicial enquiry; or
- (c) evidence given at any enquiry ordered by authorities subordinate to the Board.

60. *Unauthorized communication of information*—No employee shall, except in accordance with any general or special order of the Board, or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or information to any employee or any other person to whom he is not authorized to communicate such document or information.

61. *Subscriptions*—No employee shall, except with the previous sanction of the Board or such authority as may be empowered by it in this behalf, ask for or accept contributions to, or otherwise associate himself with the raising of, any fund in pursuance of any object, whatsoever.

62. *Gifts*—(i) Save as otherwise provided in these regulations, no employee shall except with the previous sanction of the Board, accept or permit his wife or any other member of his family to accept from any person any gift of more than trifling value:

Provided that gifts of a value, reasonable in all circumstances of the case, may be accepted from the relations and personal friends or presented to such persons on occasions such as weddings, anniversaries, funerals and religious functions, when the making or receiving such gifts is in conformity with the prevailing religious or social customs; but acceptance of such gifts other than those of a trifling value shall be reported to the Board and the gifts shall be disposed of in such manner as the Board may direct.

*Explanation*—For the purposes of this sub-regulation any trowel, key or other similar articles offered to an employee at the laying of the foundation stone or the opening of the public building or any other ceremonial function shall be deemed to be a gift.

(ii) If a question arises whether any gift is of a trifling value or not or where an employee is in any doubt whether a gift offered to him is of a trifling value or not, a reference shall be made to the Board by such employee and the decision of the Board thereon shall be final.

*Explanation*—Whether or not a gift should be treated as of a trifling value shall depend on who the donor is and the circumstances in which the gift is made. A gift exceeding in value 1/20th of the monthly emoluments of an employee or Rs. 20 (whichever is less) from a person who is not his relation or his personal friend shall ordinarily be regarded as a gift not of trifling value. Gifts from relatives and personal friends up to the value of 1/8th of the monthly emoluments of the employee or Rs. 50 whichever is less, or even up to the value of 1/2 of such emoluments or Rs. 200 whichever is less on special occasions such as mentioned in the proviso to sub-regulation (i) may be regarded as of trifling value.

(iii) Nothing in this regulation shall be deemed to prevent any employee from sitting at the request of any public body for a portrait bust or a statue, not intended for presentation to him.

63. *Public Demonstrations in honour of an employee*—No employee shall, except with the previous sanction of the Board, receive any complimentary or validictory address

or accept any testimonial or attend any meeting or entertainment held in his honour, or in the honour of any other employee:

Provided that nothing in this regulation shall apply to:—

(i) a farewell entertainment of a substantially private informal character held in honour of an employee or any other employee on the occasion of his retirement or transfer or any person who has recently quitted service of the Board.

(ii) The acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

64. *Insolvency and habitual indebtedness*—An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee who becomes the subject of a legal proceeding for insolvency shall forthwith report the full facts to the Board.

65. *Movable, Immovable and Valuable Property*—(i) No employee shall, except with the previous knowledge of the prescribed authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family:

Provided that any such transaction conducted otherwise than through a regular or reputed dealer shall require the previous sanction of the prescribed authority.

*Explanations*—(a) The prescribed authority for the purposes of this sub-regulation shall be the Board in the case of all employees.

(b) In respect of a Government servant on foreign service or on deputation to the Board, the prescribed authority shall be the parent department on the cadre of which such Government servant is borne or the Ministry to which he is administratively subordinate as member of that cadre.

(ii) An employee who enters into any transaction concerning any movable property exceeding Rs. 1,000 in value, whether by way of purchase, sale, or otherwise shall forthwith report such transaction to the prescribed authority, referred to in sub-regulation (i):

Provided that no employee shall enter into any such transaction except with or through a regular or reputed dealer or agent or with the previous sanction of the said prescribed authority.

*Explanation*—For the purpose of this sub-regulation the expression "Movable property" includes inter-alia the following property, namely,

- (a) Jewellery, Insurance policies, shares, securities and debentures;
- (b) loans advanced by such employee whether secured or not;
- (c) motor cars, motor cycles, horses or any other means of conveyance; and
- (d) refrigerators, radios and radio-grams.

(iii) Every employee of class I and class II services shall, on first appointment to the Board, and thereafter at intervals of every 12 months, submit a return in such form as the Board may prescribe in this behalf, of all immovable

property owned, acquired or inherited by him or held by him on lease or mortgage, either in his own name or in the name any member of his family or in the name of any other person.

(iv) The Board or any authority empowered by it in this behalf may, at any time, by general or special order, require an employee to submit, within a period specified in the order a full and complete statement of such movable or immovable property held or acquired by him or by any member of his family as may be specified in the order. Such statement shall, if so required by the Board or by the authority so empowered, include details of the means by which, or the source from which, such property was acquired.

66. *Vindication of Acts and Character of Employees of the Board*—No employee shall except, with the previous sanction of the Board, have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of defamatory character.

*Explanation*—Nothing in this regulation shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity.

67. *Canvassing in bringing other outside influence*—No employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Board.

68. *Bigamous Marriages*—(i) No employee, who has a wife living shall contract another marriage without first obtaining the permission of the Board, notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.

(ii) No female employee shall marry any person who has a wife living without first obtaining the permission of the Board.

#### APPENDIX I

(See Regulation 10)

Form of Medical Certificate

I, ..... hereby certify that I have examined Shri ..... a candidate for employment to the National Cooperative Development and Warehousing Board, and cannot discover that he/she has any disease, constitutional affection; or bodily infirmity, except ..... I do not consider this a disqualification for employment to the National Cooperative Development and Warehousing Board.

Shri .....'s age according to his/her own statement is ..... years and, by appearance, about ..... years.

(Name and designation of the Medical Officer).

B. M. CHITNIS  
Secretary